[8th August 1929

(b) if so, what action it is proposed to take to remedy this defect, either by instructions to magistrates or by amendment of the Borstal Schools Act of 1926?

A.—(a) & (b) Under the Madras Borstal Schools Act courts can sentence an adolescent offender (who is not more than 21 years of age at the time of conviction) to a maximum term of five years' detention in a Borstal school. The suggestion to fix 23 as the maximum age for detention in a Borstal school involves legislation and the desirability of amending the Act will be considered.

Temporary detention of adolescent offenders in jails.

* 101 Q.—Mr. F. E. James: Will the hon. the Law Member be pleased to state—

(a) whether he is aware that adolescent offenders under the Borstal School Act are not committed direct to Borstal schools, but are detained temporarily in jails prior to committal; and

(b) what steps he will take to rectify the procedure?

A.—(a) & (b) With reference to section 12 of the Madras Borstal Schools Act, every adolescent offender sentenced to detention in a Borstal school by a court is sent to a Borstal school. But some time must elapse between the delivery of judgment and the arrangement of the police escort. Enquiry has also to be made by courts whether accommodation is immediately available or not in the school. During this period the adolescent offender has necessarily to be kept in custody. In order to minimize this period of custody as far as possible, magistrates have been informed that accommodation will always be available in the Borstal schools and that there is no need to make any previous reference on this point to the Superintendent of the school.

Mr. F. E. James:—"May I ask the hon. Member to be pleased to state who is responsible for sending the adolescent offenders to Borstal custody?"

The hon. Diwan Bahadur M. Krishnan Nayar:—"Will my hon. Friend speak a little louder."

Mr. F. E. James:—"May I know who is responsible for arranging to send the adolescent offenders to Borstal?"

The hon. Diwan Bahadur M. Krishnan Nayar:—"I think it is the Inspector in charge, but I am not certain."

Mr. F. E. James:—"Will the hon. Member be pleased to take some action which will minimise the length of time during which these youthful offenders are in police custody even after they have been committed to the Borstal School by Magistrates?"

The hon. Diwan Bahadur M. Krishnan Nayar:—"I shall take the necessary steps."